

HUMAN SERVICES DEPARTMENT[441]**Adopted and Filed Emergency After Notice**

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services amends Chapter 75, “Conditions of Eligibility,” Iowa Administrative Code.

This amendment decreases premiums for applicants and recipients under the Medicaid for Employed People with Disabilities (MEPD) program with income over 150 percent of the federal poverty level (FPL).

The Department adopted these changes because Iowa Code section 249A.3(2)“a”(1) requires that “[t]he maximum premium payable by an individual whose income exceeds one hundred fifty percent of the official poverty guidelines shall be commensurate with the cost of state employees’ group health insurance in this state.” The average cost to the state for state employees’ health insurance for a single person is \$598 effective January 1, 2013. Therefore, the maximum premium must be set at that amount.

Notice of Intended Action on this amendment was published in the Iowa Administrative Bulletin as **ARC 0668C** on April 3, 2013. The Department received no comments from the public concerning the Notice. This amendment is identical to the one published under Notice of Intended Action.

The Council on Human Services adopted this amendment on June 12, 2013.

Pursuant to Iowa Code section 17A.5(2)“b”(2), the Department finds that the normal effective date of this amendment, 35 days after publication, should be waived and the amendment made effective August 1, 2013. The normal effective date can be waived since this amendment confers a benefit on the public. Specifically, applicants and recipients under the Medicaid for Employed People with Disabilities program who have an income that is under 150 percent of the federal poverty level will benefit with a decrease in premiums to participate.

This amendment does not provide for waivers in specific situations because all members should be subject to the same sliding scale for MEPD premiums. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 249A.4.

This amendment will become effective on August 1, 2013.

The following amendment is adopted.

Amend subparagraph **75.1(39)“b”(3)** as follows:

(3) Premiums shall be assessed as follows:

IF THE INCOME OF THE APPLICANT IS ABOVE:	THE MONTHLY PREMIUM IS:
150% of Federal Poverty Level	\$34 <u>29</u>
165% of Federal Poverty Level	\$46 <u>39</u>
180% of Federal Poverty Level	\$56 <u>44</u>
200% of Federal Poverty Level	\$66 <u>51</u>
225% of Federal Poverty Level	\$78 <u>56</u>
250% of Federal Poverty Level	\$88 <u>66</u>
300% of Federal Poverty Level	\$108 <u>86</u>
350% of Federal Poverty Level	\$130 <u>106</u>
400% of Federal Poverty Level	\$152 <u>124</u>
450% of Federal Poverty Level	\$174 <u>144</u>
550% of Federal Poverty Level	\$215 <u>182</u>
650% of Federal Poverty Level	\$257 <u>221</u>

IF THE INCOME OF THE APPLICANT IS ABOVE:	THE MONTHLY PREMIUM IS:
750% of Federal Poverty Level	\$300 <u>262</u>
850% of Federal Poverty Level	\$344 <u>305</u>
1000% of Federal Poverty Level	\$409 <u>369</u>
1150% of Federal Poverty Level	\$481 <u>440</u>
1300% of Federal Poverty Level	\$574 <u>515</u>
1480% of Federal Poverty Level	\$667 <u>598</u>

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EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 7/10/13.